

REMARKS

Reconsideration of the application is respectfully requested. Claims 1-7 and 11 are currently pending in the application. No claims have been amended, deleted, or added.

Applicant respectfully submits that no new matter has been added.

Claims 3 and 5 have been objected to as being dependent upon a rejected base claim, but would otherwise be allowable. Applicant would like to thank the Examiner for the indication of allowable subject matter.

Claims 1, 2, 4, 6, 7, and 11 have been rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-18 of U.S. Pat. No. 7,293,412. In response, Applicant submits a terminal disclaimer, filed concurrently with this response.

Claims 1, 6, and 11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by WO 01/73245. The WO 01/73245 reference is directed to the structure of an inflatable body, but does not disclose anything related to the altering of operating parameters. The Office Action points to valves 6, wherein the valves 6 allow the inflatable body to be inflated prior to use. However, WO 01/73245 does not disclose:

"wherein means are provided by which at least one of the operating parameters of pressure in the hollow body, length of the compression rod, or length of the at least one pair of traction elements can be altered pneumatically, hydraulically or mechanically"

as required by claim 1. While the valves 6 referred to in the Office Action may be used for inflation or deflation prior to use of the inflatable body, the valves alone would not be enough to alter the operating parameters of the inflatable body. Inflating and/or deflating an inflatable body prior to use would be *setting* an operating parameter and is not the same as *altering* an operating parameter. And, more specifically, the valves 6 would not be enough to alter the operating parameters pneumatically, hydraulically, or mechanically.

In view of the above, Applicant respectfully submits that independent claim 1 distinguishes over WO 01/73245 at least for the reason that the reference cited does not disclose

a means being provided by which at least one of the operating parameters can be altered pneumatically, hydraulically or mechanically. Accordingly, Applicant respectfully requests the 35 U.S.C. § 102(b) rejection of claim 1 be withdrawn.

Dependent claims 6 and 11 depend from and further limit in a patentable sense independent claim 1. Therefore, for at least the reasons given with respect to independent claim 1, Applicant respectfully submits that dependent claims 6 and 11 distinguish over WO 01/73245. Accordingly, Applicant respectfully requests the 35 U.S.C. § 102(b) rejection of claims 6 and 11 be withdrawn.

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 01/73245 in view of Melou 5,539,942. Claim 7 depends from and further restricts in a patentable sense independent claim 1. Therefore, for at least the reasons given with respect to claim 1, Applicant respectfully submits that dependent claim 7 distinguishes over WO 01/73245 in view of Melou. Accordingly, Applicant respectfully requests the 35 U.S.C. § 103(a) rejection of claim 7 be withdrawn.

In view of the above amendment, Applicant respectfully submits that the present application is in condition for allowance. A Notice to that effect is respectfully requested.

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Respectfully submitted,

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